

**MINUTES OF THE DRAPER CITY COUNCIL MEETING HELD ON TUESDAY, JULY 15, 2014, IN THE DRAPER CITY COUNCIL CHAMBERS, 1020 EAST PIONEER ROAD, DRAPER, UTAH.**

*“This document, along with the digital recording, shall constitute the complete meeting minutes for this City Council meeting.”*

PRESENT: Mayor Troy Walker, and Councilmembers Bill Colbert, Bill Rappleye, Jeff Stenquist, Alan Summerhays, and Marsha Vawdrey

STAFF PRESENT: David Dobbins, City Manager; Doug Ahlstrom, City Attorney; Rachelle Conner, City Recorder; Keith Morey, Community Development Director; Rhett Ogden, Recreation Director; Bryan Roberts, Police Chief; and Garth Smith, Human Resource Director

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**Study Meeting**

**1.0 Dinner**

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**2.0 Discussion: Special Assessment Areas and Special Service Districts**

2.1 David Dobbins, City Manager, advised this presentation came out of the discussion about the Traverse Ridge Special Service District (TRSSD) and how it works and functions. He stated a resident within that Special Service District called Mr. Bitter and asked him questions about how the District works. Staff felt it would be helpful to have Mr. Bitter come and talk about the types of districts and assessment areas and the advantages and disadvantages of each.

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2.2 Legrand Bitter, President of Special Service District Association, briefed the Council on the various types of special service districts and assessment areas. The two types of districts are Local Districts and Special Service Districts. Special Service Districts are sometimes referred to as dependent districts because they are somewhat dependent upon the entity that created them. In the case of the TRSSD, it was created by the Draper City Council, so they can function as the administrative body if they choose to do so. A local district is an independent district. An example of that is the South Valley Sewer District. An assessment area is a vehicle that is used by political subdivisions in the State of Utah. They can be used for a variety of purposes, such as economic development, curb and gutter, lighting districts, and other types of hard asset type of activities. With respect to the snow removal activities in the TRSSD, it might be better served with a Special Assessment Area. Normally a district is a very effective vehicle to use in a situation or circumstance where a City or County is unable or unwilling to provide a service that the residents want. It is used frequently in large counties. In a situation like the TRSSD, where there is an area within the whole city, it makes a lot of sense to have everything combined in one package with the City being able to accomplish some things that the

District on the hill cannot. For example, the City is able to use staff on parks and recreation in the summer without having to worry about plowing snow. In the wintertime, parks and recreation are slow, so those employees can be utilized for snow activities. A weakness in the Special Service District is that the snow removal does not have to be provided year round. One of the challenges if it were an independent entity is that they would have to capitalize their own shops and facilities, buy their own equipment, and keep them functional all year to have them ready for snow season. There is also a question as to what they would do with the employees during the off months. There are a lot of economies of scale that can be achieved by having everything together and creating an assessment area that would include all entities in a particular region to pay the incremental cost for the base service where there is a higher cost associated with that. If the City Council wanted to create a Special Assessment Area, the District could be phased out and dissolved.

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- 2.3 Councilmember Colbert asked what the process would be to convert the TRSSD to a Special Assessment Area. Mr. Bitters replied there is a flow chart they put together that goes through the process. The general concept would be to create an assessment area and transfer the assets from the TRSSD to the City and have all operations by Interlocal agreement.

Councilmember Colbert noted there are areas adjacent to the District that are not a part of it, but they will require similar services. Whatever solution the City finds should include all of the areas above a certain elevation. Mr. Bitter noted there will be a bill in the next Legislative session that will address the assessment areas, but it should not impact this situation. The nice thing about an assessment area is that the City can designate all areas in a geographical area and above a certain elevation to be included in the assessment area, and they can charge a fee for the services. Mr. Bitter said he understands the City has a consultant looking at things up there in terms of costs of services.

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- 2.4 Mayor Walker said the TRSSD was created before this Council was serving. It was based upon the development of the SunCrest property. It did not build out like it was supposed to due to the economy and bankruptcy problems. The building that is going to occur up there moving forward is mostly outside of the District. The District does not really have the opportunity to grow, and it will make it more expensive for the members because they will have less people to draw upon. He questioned whether it would convert to a local district if the City were to move towards a standalone district. Mr. Bitter replied that is a possibility. Under the stature two years ago, they passed a provision that allows an entity that created a Special Service District to adopt a resolution of intent to convert it to a local district. They would have a hearing and could make the conversion.

Mayor Walker noted the new board members would be elected to manage the District, and they would be accountable and would manage it rather than have the City involved. Mr. Bitter advised that is correct. They would be totally independent.

Mayor Walker reviewed the process of going to a Special Assessment Area. He stated if the City goes that route, the incremental fee for services is assessed and the County collects the money. The TRSSD would then be dissolved and the City would provide the service as it does in the rest of the city. Mr. Bitter said that is correct. It would be Draper City as a whole, and the assessment area would have a fee to cover the incremental costs for services.

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- 2.5 Councilmember Stenquist noted the flow charge shows a Board of Equalization, so there would still be a board in place. Mr. Dobbins clarified that the Board of Equalization is used for people who are disputing the value they are assessed. It is not about the budget or services; it is strictly for the assessment.

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- 2.6 Councilmember Colbert commented that this seems to make it more complicated. The residents who live in the lower valley can easily argue that they only get 100 feet of road plowed by the service area, so why should they pay to plow the higher elevation. Mr. Dobbins explained this is a very unique situation, and none of the options were created with this specific situation in mind.

Councilmember Colbert noted he does not see the Special Assessment Area solving anything. Each property owner has the right to protest whether or not to join, and he is not sure whether the City can force someone to join the assessment area. Mr. Bitter replied that the assessment area will simplify things substantially. A Special Assessment Area is relatively easy to establish, and the City can force residents to come in if the majority wants it.

Mr. Bitter stated if someone was asking his opinion in this particular situation, he would recommend a Special Assessment Area.

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- 2.7 Councilmember Stenquist noted people will still want to have an accounting of why they are being charged more. He agreed that switching to an assessment area will save time and costs.

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- 2.8 Mayor Walker requested clarification that they will create the Special Assessment Area and assess the properties, and once they define the area of boundaries, they will determine the cost and have a public hearing. Once that money comes in to the City, it is no longer accounted for specifically, but the City continues to provide the same services they are right now. Right now, a group of people in the TRSSD do not think the City is assessing the costs correctly. They do not like how the funds are being spent. He questioned whether a Special Assessment Area would solve that problem.

Mr. Dobbins explained they would still have to account for the funds, but there would not be a separate board with a separate budget. It is an easier way to get the same results.

Mayor Walker noted they also have the potential of expanding the size of the area to include the other developments that would go up there. Mayor Walker advised he has been supportive of creating a standalone district up there, and the costs would be a lot higher than they are now. Mr. Bitter noted if it were an independent district, they would be providing 100 percent of the service at 100 percent of the cost.

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- 2.9 Mr. Dobbins stated the City purchased some equipment with TRSSD funds, and the equipment is only used in the TRSSD. The City may store it in City facilities, but they do not charge the TRSSD rent for that. The City has kind of mixed the two together. The cleanest way would be to itemize every single cost and bill the district for it.

Mayor Walker advised if this is an independent district, they would know exactly what it costs.

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- 2.10 Councilmember Stenquist asked what would happen with the equipment that is currently owned by the TRSSD if the City decided to go with a Special Assessment Area. Mr. Bitter explained the assets of the District would be transferred to the City as part of the creation of the Special Assessment Area. Mr. Bitter stated he would be happy to function as a resource for the City if needed. They have done this before. Any liabilities of the District would also be transferred to the City. The District would then be an empty shell.

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- 2.11 Councilmember Summerhays remarked that the cost for the Special Assessment Area could go up considerably. He asked how that would show on the property tax bill. Mr. Bitter responded that it would most likely be a line item. He then explained how it would work with the costs. Right now, the City has been operating it in a way that is efficient and cost effective because they are combining the costs.

Mayor Walker agreed. He said right now they get a better cost on the salt because they buy it in bulk. If the entity takes it over, they will have to buy it, store it, and distribute it. The economy of scale is pretty clear. Mr. Dobbins agreed saying the independent district would have to hire their own attorney, they would have to have a recorder to do their meetings, and they would have to do all the noticing themselves. There are many incidental costs that they would have to take over completely.

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- 2.12 Councilmember Rappleye wondered what happens if the independent board were to bankrupt their private entity, and they do not have the funds to provide the services. Mr. Bitter indicated State law does not allow private entities to become bankrupt. There is oversight at the State level, and if the District overspent their budget, they would be contacted by the State Auditor's office. They would have to remedy the situation by raising fees or negotiate outsourcing the services.

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- 2.13 Councilmember Summerhays questioned whether the District could contract with the City to provide the services. Mr. Bitters indicated that is a possibility.

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- 2.14 Mayor Walker stated the assessment area seems like a better way to deal with this problem. He asked whether they could expand the things that would be covered if they changed from a district to an assessment area, such as adding water. Mr. Bitter stated yes they could.

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- 2.15 Councilmember Colbert noted the developer was supposed to provide parks up there, and there is a need for playing fields. Some residents would really like to see those parks developed.

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- 2.16 Mr. Bitter indicated if the Council has some questions that he does not know the answers to, he would be happy to do the research in order to provide them.

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- 2.17 Mayor Walker clarified that Mr. Bitter's recommendation would be to lean towards the Special Assessment Area as opposed to the Independent District. Mr. Bitter stated yes, that would be his recommendation.

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- 2.18 Councilmember Colbert asked what the timeframe would be if they wanted to put this on the November ballot. Mr. Bitter stated it would be at least three to four months.

Councilmember Colbert then asked whether it would remain as a Special Service District if the residents voted no to the assessment area. Mr. Bitter indicated yes, but they could do a number of things within the District such as using Interlocal agreements. He stated it would be a good idea to do that if the City decided not to go with an assessment area.

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- \*\* Mayor Walker noted the presenter for the Parks School discussion has not arrived, so they will be taking the items out of order. He asked Brad Jensen to discuss the Bear Canyon Bridge.

#### **4.0 Discussion: Bear Canyon Bridge**

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- 4.1 Brad Jensen, Engineer, indicated there is a small bridge that crosses Bear Canyon at the Bonneville Shoreline trail. It is a rough area of the trail. Back in 2009, Ralph Wadsworth contacted the City in reference to constructing a suspension bridge. Recently there has been a renewed interest in doing this. It is a great location, and the proposal is to do a 150- foot span that is 5 feet wide. This will not be on forest service property. There are 4 stakeholders on the project, which include Ralph Wadsworth and sons, Water Pro, the

Corner Canyon Trails Association, and Draper City. The City will be providing the trail realignments to tie to the bridge, and they will also be responsible for the maintenance of the bridge. The Parks and Trails Committee are very supportive of this. They are going to look at costs for having it 6 feet wide, and if it is worth the cost, they will bring a proposal back to the City Council for their consideration. Staff would like to keep the existing bridge open for hikers only. Staff will also be bringing back an easement agreement between Water Pro and the City within the next month if everything goes as planned. Mr. Wadsworth said he is willing to start construction at any time, but they need to raise more funds. The Foundation and Wadsworths are looking at doing an event later this summer to help raise funds. They will also approach other groups to see if they are willing to contribute to the project.

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**5.0 Council/Manager Reports**

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- 5.1 Councilmember Colbert questioned what staff is doing to get the live audio streaming for the City Council meetings fixed. Mr. Dobbins noted there is a problem with the new website provider. Staff will work to get it fixed as soon as possible.

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**3.0 Presentation: Park School**

- 3.1 Allen Roberts. CRSA, noted the basic question is whether or not this property can be developed to meet the master planning goals of having a viable City Center/Commercial enterprise on this property with the school being present or if it would be better to do it without the school being there. He then reviewed the results of his study, which included:
- There is nothing about the nature of the building or condition that would prohibit a successful renovation project of the building.
  - They are only proposing the City keep the L-shaped portion of the building.
  - They are not talking about renovating the basement, so they are talking about a 33,000 square foot building.
  - Depending on the use, the parking requirement may be the biggest problem.
  - The renovation cost is estimated at \$150 - \$175 per square foot.
    - Seismic upgrade
    - New mechanical
    - New electrical
    - Insulation
    - New roof
    - New windows
  - This building is on the National Register of Historic Places
    - Cities are keeping buildings like this and using them for civic uses
    - It is eligible for the twenty percent tax credit
    - FEMA grants have been coming to Utah for similar projects with seismic upgrades

*Approved 08.05.2014*

Mr. Allen indicated his initial recommendation is to not go ahead with demolition and allow an RFP for development to go forward to see if there is support in the community to have the building renovated. He asked the Council what they envision on this property.

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- 3.2 Councilmember Colbert indicated he would like for it to be a draw for the community and a destination location.

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- 3.3 Councilmember Summerhays asked when they decided to keep the gymnasium. Mr. Roberts replied it was the Historic Preservation Commission's recommendation to not keep the 1950s addition, but they wanted to keep the 1912 original building and the 1928 auditorium addition. That is a wonderful space with good lighting. It is a great multi-use space for performing arts and large group activities. The City could take down the auditorium too, which would reduce the square footage by another 6,000 square feet per floor.

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- 3.4 Mayor Walker noted when CRSA went through and assessed the building, they were looking at the gymnasium and the original school. He asked whether the \$150 per square foot cost included the demolition of the rest of the building. Mr. Allen stated yes. It would probably cost \$40,000 to demolish the 1955 wing and the small mechanical building in the back. In order to have sufficient parking, they might have to do multi-level parking, and the best place to put it is in the southeast corner of the property next to the cemetery. The cost per square foot is dependent on how far they go with the new use. The average construction cost for new buildings is \$175-225. The \$150-175 quote he gave for the renovation would be the completed project inside the building; however, it does not include any new construction or parking.

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### **Children's Parade**

- \*\* The Council recessed the meeting in order to attend the Draper Days Children's Parade. The business meeting will convene at 7:30 p.m.

### **Business Meeting**

[7:28:28 PM](#)

#### **1.0 Call to Order**

- 1.1 Mayor Walker called the meeting to order and welcomed those in attendance.

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#### **2.0 Comment/Prayer and Pledge of Allegiance**



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- 2.1 The prayer was offered by Hunter Allan, Scout Troop #883

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- 2.2 The pledge was led by Karson Fullwood, Scout Troop #883

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**3.0 Presentation: Police Department Public Outreach – Chief Bryan Roberts**

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- 3.1 Chief Bryan Roberts noted the Police Department recently launched their Facebook page. This is another method to provide outreach to the community.

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- 3.2 Chad Carpenter, Police Sergeant, reviewed the Facebook page with the City Council. The purpose in doing this is to reach out to the residents of Draper and provide real time information to them. This will help provide better communication to the community.

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- 3.3 Councilmember Vawdrey thanked the Police Department, Public Works, and Parks Department employees for their help with the rodeo.

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- 3.4 Councilmember Rappleye expressed appreciation to the entire Police Department for their efforts. Their new standard is excellence, and he appreciates their hard work and the direction they are taking as a City and with the Police Department.

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- 3.5 Chief Roberts thanked the Council. He stated the motto came from an off-site meeting with the management staff. They wanted to set the vision for where they will go in the future. They all had the consensus that excellence is where they are headed. Their model is “excellence is our standard” and that will be branded on the police cars and throughout the Police Department.

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**4.0 Citizen Comments**

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- 4.1 Shawn Benjamin, 360 West 13165 South, stated he recently had a neighbor receive a letter regarding weeds in their yard. The letter was dated June 20<sup>th</sup>, and it said the visit occurred on June 26<sup>th</sup>, so he is guessing it is just a form letter that was sent. This neighbor does not have any weeds in their yards. The Code section that was referenced in the letter was the Noxious Weeds Act, which is a State Code, and that reference is a bad reference right now in the Draper City Code. The other part of this that is a little disturbing is the definition of weeds. He asked staff to look at the ordinance to update it and give it more clarity. The letter stated that if the matter was not taken care of in a timely manner, there



Approved 08.05.2014

are actions the City would take, and the costs would be passed on to the homeowner. He asked the City to modify their process.

Councilmember Colbert asked whether the letter has a contact number for the residents to call if they have questions. He was told that it did.

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**5.0 Consent Items**

- a. Approval of June 24, 2014, Minutes
- b. Approval of July 1, 2014, Minutes
- c. **Resolution #14-47**, Amending the City Vehicle Usage and Expenses Policy
- d. **Resolution #14-48**, Amending the Separation Process of the Personnel Policies and Procedures Manual
- e. Approving the Sell of Surplus Property – Garbage Truck
- f. **Resolution #14-41**, Reappointing Craig Hawker and Scott McDonald as Alternate Members of the Planning Commission

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**5.1 Councilmember Rappleye moved to approve the consent items. Councilmember Vawdrey seconded the motion.**

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**5.2 A roll call vote was taken with Councilmembers Colbert, Rappleye, Stenquist, Summerhays, and Vawdrey voting in favor. The motion passed unanimously.**

[7:44:21 PM](#)

**6.0 Action Item: Resolution #14-50, Consideration of a resolution authorizing the issuance and sale of approximately \$5,000,000 aggregate principal amount of the City's general obligation refunding bonds (the "Bonds"); delegating to certain officers of the City the authority to approve the final terms and provisions of the Bonds within the parameters set forth therein; prescribing the form of Bonds; providing for the manner of execution and delivery of the Bonds; providing how the proceeds of the Bonds will be used and how payment of the Bonds will be made; providing for the publication of a Notice of Bonds to be Issued; providing for the running of a contest period; approving the distribution and execution of an official statement with respect to the Bonds; authorizing the taking of all other actions necessary for the consummation of the transactions contemplated by the resolution; and related matters.**

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**6.1 Bob Wylie, Finance Director, indicated this action is to refund the General Obligation Series 2005 Bonds. This will provide a net savings due to the lower interest rate. This will not extend the term of the bond.**

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**6.2 Councilmember Stenquist asked what the money saved could be used for. Mr. Wylie noted the bond was for open space, and the savings will have to be used for that.**

*Approved 08.05.2014*

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6.3 Councilmember Summerhays asked how much money would be saved. Mr. Wiley explained there would be approximately \$350,000.

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6.4 Mr. Dobbins indicated once the bond is finalized, staff would bring the funds back to the City Council for approval of how they would be spent.

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**6.5 Councilmember Rappleye moved to approve Resolution #14-50, authorizing the issuance and sale of approximately \$5,000,000 aggregate principal amount of the City's general obligation refunding bonds. Councilmember Summerhays seconded the motion.**

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6.6 Councilmember Rappleye thanked Mr. Wylie for his work on this. It always pays to watch these things closely. The City has resources they have contracted with, and that helps too.

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**6.7 A roll call vote was taken with Councilmembers Colbert, Rappleye, Stenquist, Summerhays, and Vawdrey voting in favor. The motion passed unanimously.**

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**7.0 Public Hearing: Resolution #14-46, Amending the FY 2014-15 Budget.**

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7.1 Mr. Wiley indicated this item reopens the FY 2014-15 Budget. He reviewed the amendments as follows:

- Nashi Lane Landscaping Project Phase I - \$14,568
- Freeway Pump Station - \$2,100,000
- UTA Overpass Repairs - \$19,100
- Landscaping Bangerter UTA Bridge - \$11,000
- Reallocate operational budget within the Legal Department from salaries and benefits to professional services - \$160,886
- Amended the authorized staffing chart for FY 2015

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7.2 Councilmember Stenquist asked whether item #1 is the section along 1300 East known as Akagi Farms. Mr. Dobbins replied it is. It has been sitting unfinished for some time. This project will be completed in three phases. The City would like to hold off on Phases II and III until the 1300 East widening is done, so they know exactly what area they will be working with.

Councilmember Stenquist then questioned whether there is a timeframe for the 1300 East widening. Mr. Dobbins noted he does not believe there is a timeframe for this one.

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7.3 Councilmember Summerhays asked what type of landscaping is planned there. Mr. Dobbins replied it will be along the lines of xeriscaping, so it has lower maintenance and water use.

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**7.4 Mayor Walker opened the public hearing. No one came forward to speak, so Mayor Walker closed the public hearing.**

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7.5 Mr. Dobbins indicated he did receive an email from LaVar Christensen expressing his support of Nashi Lane Landscaping Project.

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**7.6 Councilmember Stenquist moved to suspend the rules. Councilmember Summerhays seconded the motion.**

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**7.7 A roll call vote was taken with Councilmembers Colbert, Rappleye, Stenquist, Summerhays, and Vawdrey voting in favor. The motion passed unanimously.**

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**7.8 Councilmember Stenquist moved to approve Resolution #14-46, amending the FY 2014-15 Budget. Councilmember Summerhays seconded the motion.**

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**7.9 A roll call vote was taken with Councilmembers Colbert, Rappleye, Stenquist, Summerhays, and Vawdrey voting in favor. The motion passed unanimously.**

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**8.0 Action Item: Agreement #14-121, Contract with Cowdell & Woolley PC for Prosecution Services.**

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8.1 David Dobbins, City Manager, noted this firm contracts with many cities for prosecution services. This will save the City some money, and it provides for a ninety-day opt out clause. If the City is unhappy for any reason, they can cancel the contract at any time. He asked the City Council to make the effective date August 1, 2014.

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**8.2 Councilmember Summerhays moved to approve Agreement #14-121 with an effective date of August 1, 2014. Councilmember Rappleye seconded the motion.**

Approved 08.05.2014

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- 8.3 A roll call vote was taken with Councilmembers Colbert, Rappleye, Stenquist, Summerhays, and Vawdrey voting in favor. The motion passed unanimously.

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- 9.0 **Action Item: Ordinance #1111, On the request of Ryan Button for approval of a Zoning Map Amendment changing the zoning designation from A5 (Agricultural) to RM1 (Residential) with a Development Agreement on approximately 18.3 acres at 962 E. Roundhouse Road. The application is otherwise known as the Deer Run Preserve Zone Change Request.**

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- 9.1 Keith Morey, Community Development Director, reviewed the points of this project with the City Council. He noted the developer has tried to address the concerns that came from the City Council and the residents, which has been very nice. The main concern at the last meeting was the blocking of the views. The developers have submitted a new concept plan, and the town homes closest to the existing development have been changed to single-family dwellings.

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- 9.2 Councilmember Summerhays asked if staff received a measurement from ground level from the developer. Mr. Morey explained staff has asked the developer to keep the homes on lots 1 through 3 between 25 and 27 feet maximum height. The homes on lots 4, 24, and 28-77 will be a maximum of 35 feet.

Councilmember Summerhays wondered what the drop from the units there and the bottom of the buildings is.

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- 9.3 Tim Soffe, Think Architecture, noted the height measurement varies within the property. The apex of the circle is the tallest, and it narrows as it comes around either side. The distance from the existing driveways to the grade that the proposed garages will be is the highest, and it exceeds 18-20 feet at the apex. The reasoning behind having the single-family homes rather than the townhomes is it gives adjustability in stepping each house down as it goes to the varying heights.

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- 9.4 Councilmember Stenquist asked whether they are having garages in the back with driveways or whether they will be front-facing traditional drives. Mr. Soffe indicated they are front loaded with 20-foot driveways, so they will have a minimum of 4 vehicle parking.

Councilmember Stenquist stated it looks like the smallest lot size is 4,100 square feet. That is a pretty small lot. Mr. Soffe noted the average is a lot larger.

Approved 08.05.2014

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- 9.5 Councilmember Summerhays asked whether the density is 4.87 units per acre. Mr. Soffe replied the development agreement says it will be less than a maximum of 5-units per acre. There is a total of 77 units proposed.

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- 9.6 **Councilmember Vawdrey moved to approve Ordinance #1111. Councilmember Summerhays seconded the motion.**

[8:07:04 PM](#)

- 9.7 Councilmember Colbert said he is still concerned about the City staff maintaining the park area. Mr. Dobbins clarified the HOA is maintaining the park. The City will help maintain the equipment and the trail.

[8:07:40 PM](#)

- 9.8 Councilmember Vawdrey advised this is a really nice project, and it is probably past time.

[8:07:47 PM](#)

- 9.9 Councilmember Stenquist stated he has been interested in this project because he lives in this area. The neighbors have been pretty positive about it, and the developers have addressed most of the concerns.

[8:08:29 PM](#)

- 9.10 Mr. Dobbins advised this development agreement runs with this property, so if the developer sells the property, the new owners have to comply with the development agreement.

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- 9.11 Councilmember Stenquist remarked an HOA will be set up, and they will be responsible for the maintenance of the private roads as well as the park maintenance. He said hopefully this continues to function well.

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- 9.12 **A roll call vote was taken with Councilmembers Colbert, Rappleye, Stenquist, Summerhays, and Vawdrey voting in favor. The motion passed unanimously.**

[8:09:51 PM](#)

- 10.0 **Public Hearing: Ordinance #1117, On the request of Draper City for approval of a Zoning Map Amendment changing the zoning designation from A5 (Agricultural) to A2 (Agricultural) and CR (Regional Commercial) on approximately 23.6 acres at 11559 South 300 West. The application is otherwise known as the Riverview Chapel Rezone Request.**

**This item was continued to the August 5, 2014, City Council meeting.**

[8:10:44 PM](#)

**11.0 Public Hearing: Ordinance #1112, On the request of Jeff Mansell for approval of a Zoning Map Amendment changing the zoning designation from RA2 (Residential Agricultural) to R4 (Residential) on approximately 5.88 acres at 1230 East 13200 South. The application is otherwise known as the *Park Place Bungalows Zone Change Request*.**

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- 11.1 Mr. Morey displayed a map showing the location of the parcel. The current zoning for the parcel is RA2, and there is some RA1 around it. Last fall, this developer contact staff and asked them to go look at a project he was working on in Sandy. Staff was very impressed with the quality of the product. They were very high-end homes, which were tailored for people that did not want outdoor yard work or maintenance.

[8:15:00 PM](#)

- 11.2 Councilmember Summerhays questioned the size of the lots. Mr. Morey noted he thinks they are about 4,000 square foot lots.

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**11.3 Mayor Walker opened the public hearing.**

[8:17:09 PM](#)

- 11.4 Paul Brady, 1217 East Bear Hollow Cove, stated it is very humbling to participate in civic activities. He said he has been attending these meetings for the last several months and he keeps hearing that the character of Draper is changing. This area is a family centered area. There are many schools within walking distance, there are four churches of two major faiths within walking distance, and it is a premier recreation area. Development will be inevitable in this area, but it needs to be responsible. He asked the City Council to remember the agreements that have been made to the residents that are affected by the development.

[8:20:28 PM](#)

- 11.5 Mark Brower, 1199 Walden Lane, noted he has been to the sample site that Mr. Morey talked about. He walked down the street, and it was not at all what he was used to liking. It created a unique feel and has a low impact because of the height of the structures, and there is not another development like this in Draper. He expressed his support of the development.

[8:21:59 PM](#)

- 11.6 Jeff Burger, 12671 Summer Downs Court, stated he lives in a 7,000 square foot home off of 1300 East, and in this stage of his life he is looking to retire and sell his home. He has been spending a lot of time in the beautiful hills of Draper, and as he looks down on the valley, it is beautiful. The valley has changed a lot over the years, and there is no way of turning back the clock. All they can do now is to make sure everything they do now is done with proper planning. Draper has become a destination for people. They want to come to Draper because of the great job this Council and its predecessors have done in

building the infrastructure, the parks, trails, recreation, concerts, etc. For people like he and his wife, this type of home would be the type of product he would like to purchase. He is in favor of this development.

[8:25:21 PM](#)

- 11.7 Fred Larisch, 1465 East Tanburhan Lane, agreed with Mr. Bird. He lives on a one-acre property with a beautiful home and garden, but things have changed. He said he and his wife are no longer able to take care of their property. This type of development would be perfect for them. They feel it would be a great asset Draper, and it will bring many here.

[8:26:44 PM](#)

- 11.8 Norm Krantz, 13261 Bear Hollow Drive, stated it is true that Draper is a destination area. He and his family moved here three years ago because of the charm and feel of the area. They have seen it change in the last three years. He commented that the developer can get more money if they build more houses on the property. However, that is a lot of houses in one area. There is a lot of traffic, and he is concerned this will cause more congestion in the area. He is also worried that it will change the character of the area. He stated he is opposed to this development.

[8:28:52 PM](#)

- 11.9 Mayor Walker closed the public hearing.**

[8:29:04 PM](#)

- 11.10 Jeff Mansell, applicant, stated when they did their project in Sandy, they had a home in the parade of homes, and they had several Draper residents ask him to build this project in Draper. He reviewed some of the points of the project he is proposing. He noted this corner has been changed with the various road widening projects and the construction of the new schools, which makes it a great location for this project. The typical people that purchase in this type of project are retired persons. They want single-level living with no stairs and no yard work. He expressed his belief that the project complies with the medium-density residential housing, it will have a low impact on the community, and it is harmonious to the area. He thanked the City Council for their consideration.

[8:36:35 PM](#)

- 11.11 Councilmember Stenquist asked whether these will have basements. Mr. Mansell indicated they will, and they will have nine or ten-foot ceilings up stairs.

[8:37:30 PM](#)

- 11.12 Councilmember Summerhays moved to suspend the rules. The motion failed for lack of a second.**

- 11.13 Mayor Walker advised this item will take the normal course and be on the next meeting agenda.



[8:38:17 PM](#)

**12.0 Public Hearing: Ordinance #1098, Electronic signs text amendment, for the purpose of allowing electronic signs on commercially zoned property in certain areas of the city.**

[8:38:41 PM](#)

12.1 Mr. Morey advised the City Council had directed staff to identify high traffic areas within the city where electronic signs might be appropriate. Staff looked at 12300 South, 11400 South, Bangerter, and State Street. They tried to create categories for the signs, which are reflected in the ordinance. Staff started at the highest threshold with the idea that the Council could make changes from that. The signs would have to display static images that do not change more often than every eight second. He walked through some of the changes to the ordinance with the Council.

[8:47:03 PM](#)

12.2 Mr. Dobbins asked whether an electronic sign would replace an existing monument sign. Mr. Morey replied it would. The sign standards do not change as far as the size of the sign or number of signs. The electronic sign would prohibit the business from having any temporary signs.

[8:48:47 PM](#)

12.3 Councilmember Rappleye stated an electronic sign really does not look a lot different than a backlit sign from a distance; however, there is more flexibility.

[8:49:40 PM](#)

12.4 Councilmember Colbert noted he is still concerned with the enforcement of the brightness. He is uncomfortable with the eight second change rate. He likes the idea of being able to change the sign, but he thinks it should look like a regular sign and should change a lot less frequently.

[8:52:11 PM](#)

12.5 Councilmember Summerhays remarked that he does not have a problem with the eight second change. These signs are expensive, so not every business is going to go out and buy one right away. It is cost prohibitive to put them in. Councilmember Summerhays stated he has seen the electronic signs in small towns such as Ephraim and Manti, and it was not a big deal.

[8:54:13 PM](#)

**12.6 Mayor Walker opened the public hearing.**

[8:54:29 PM](#)

12.7 Al Jensen, 1863 East Fox Borough Lane, noted he has been in the electronic display business for many years. He is the first person to advocate control. It is difficult to control the content, because it is subjective. He said he has a portable screen the City Council could use to determine the brightness level they are comfortable with. He clarified that the pixel size should be at least sixteen.

[8:58:17 PM](#)

- 12.8 Councilmember Summerhays asked whether there is any way to set the brightness with a cell phone and not have it go over that maximum. Mr. Jensen said that they could.

[8:59:51 PM](#)

- 12.9 Tilly Van Egmond, 11800 South 50 East, noted she is here to discuss some existing electronic signage. She represents the neighbors in her area. They are all affected by the sign near the hospital at 11900 South State Street. They have contacted the zoning officer, but he is unable to help with the brightness of the sign. The sign might be in a commercial area, but it affects about three-quarters of a mile of residential homes. She distributed pictures of the sign at night to show how bright it is. Some of the signs are not even advertising the onsite or Draper businesses. She asked the City Council to extend this item to allow more neighbors to voice their opinions.

[9:03:14 PM](#)

- 12.10 Vince Coley, Rainbow Neon Sign Company, indicated there are two types of message signs, which are on premise and off premise. The off-premise signs are usually the billboards on the freeway, and they have an eight second change time. All of the message centers are made from different manufacturers, so eighty percent brightness from one company is not the same as eighty percent for another. It is difficult to enforce when the brightness level looks different on four different signs. The luminosity is what the standard is, and there is a formula used that will show if the brightness is too high or too low. The six millimeter is a very small board, and it would impractical to enforce.

[9:06:52 PM](#)

- 12.11 Rob Wardle, Yesco Electronics, stated he would be happy to host a delegation and show them the actual tools for brightness measurements. The sign companies have some concerns about the brightness criteria, and they can offer the City some suggestions on that. They have been making LED signs since 1999, and they have never sold a six millimeter LED sign for an application that was intended for vehicular traffic. They are typically oriented for pedestrians. He said he can show the City Council why, and actually set up some different pixel pitches for the Council to observe, if that would help.

[9:08:56 PM](#)

- 12.12 Mayor Walker closed the public hearing.**

[9:09:06 PM](#)

- 12.13 Mr. Morey noted in reference to the sign on 11900 South State Street, they did get some information on that sign today, and that sign's brightness is set at eighty percent and ten percent. That may be a reflection of the fact that even with those settings, some people find the brightness difficult.

[9:09:39 PM](#)

- 12.14 Councilmember Rappleye asked staff to work with the gentleman from YESCO to do a demonstration for the City Council.

Approved 08.05.2014

[9:10:37 PM](#)

**12.15 Councilmember Stenquist moved to continue this item to allow the City Council to obtain more information and to keep the public hearing open and to post another public hearing notice. Councilmember Rappleye seconded the motion.**

[9:11:57 PM](#)

**12.16 A roll call vote was taken with Councilmembers Colbert, Rappleye, Stenquist, Summerhays, and Vawdrey voting in favor. The motion passed unanimously.**

[9:12:10 PM](#)

12.17 Councilmember Rappleye advised it would be appropriate to include the other sign companies in the demonstration for the City Council.

[9:12:54 PM](#)

**13.0 Public Hearing: Ordinance #1110, On the request of Bryon Prince, representing Ivory Homes for approval of a Zoning Map Amendment changing the zoning designation from RA1 (Residential Agricultural) to R5 (Residential) on approximately 3.92 acres at 491 E. Kimballs Lane. The application is otherwise known as the Cranberry Hills 18 Zone Change Request.**

[9:13:22 PM](#)

13.1 Mr. Morey stated this has been on the agenda before, and the project was already approved. It was approved with a development agreement, which included the applicant contributing funds to the parks in the area. The applicant has since reapplied under the new zone opportunity the City created, and that is what is before the City Council tonight.

[9:13:45 PM](#)

13.2 Mr. Dobbins asked whether the number of units would change under this request. Mr. Morey advised it would not change. It is the same project.

[9:13:57 PM](#)

13.3 Councilmember Stenquist questioned whether it would change what they paid in impact fees. Mr. Morey advised that would not change. For the increased density, before the City had the R4 and R5 zones, the developer had agreed to make a contribution to certain parks in the area as far as equipment upgrades. Staff told the developer when they started the application process that the City was pursuing the R4 and R5 zones. The developer did not know whether that would be successful or not, so they wanted to move forward. Once the City Council approved the new zones, the developer reapplied under those zones to see if the City would allow that. If approved, the \$60,000 for park improvements goes away.

[9:16:47 PM](#)

**13.4 Mayor Walker opened the public hearing.**

[9:17:03 PM](#)

- 13.5 Cherry Morgan, 522 High Berry Lane, stated she is representing many neighbors. She read a statement asking the City Council to deny this request. She said the \$60,000 will be used for a park in the area, and she asked that some of that money be set aside to help with a fence along 11400 South and 300 East. The Cranberry Hill residents are willing to donate in kind work hours, and they would work with the City and Ivory Homes to enhance the look of the area. She asked the City Council to reject the zone change to R4 and use the funds to beautify the area.

[9:20:29 PM](#)

- 13.6 Mayor Walker closed the public hearing.**

[9:20:39 PM](#)

- 13.7 Councilmember Rappleye asked staff to review what the impact fees are used for. Mr. Morey noted there is a difference between an impact fee for development and the fee for this situation. In order to get the higher density, the developer offered the City \$60,000 for park improvements. There was a study done to come up with that number.

[9:22:38 PM](#)

- 13.8 Bryon Prince, Ivory Homes, reviewed the process he had been through with his project. They started this project last October. It took about six months to finalize the language in the development agreement, and one of the obstacles was what would be used for consideration of the higher density. In March, he was notified of the new zoning designations, and it was recommended to him that he go ahead with his application as is because it was a perfect test case for these new zones. Mr. Prince decided to move forward with his application because they had already put six months into the project, and it was not guaranteed that the City Council would approve the new zone options. Those zones were approved the same night his application was approved. Staff recommended to him to hold off because this application was the perfect test case for those new zones.

[9:25:55 PM](#)

- 13.9 Councilmember Summerhays asked what happened with the \$60,000. Mr. Prince indicated nothing has happened with it yet, because the new zones were approved the same night as his application. He has since reapplied under the new zone options. The point is the staff guided him to hold off because this is a great opportunity and the reason they are streamlining the implementation of the new zones. The staff said they want to get away from development agreements, and they want to have a zone that would address the unique infill parcels.

[9:27:03 PM](#)

- 13.10 Councilmember Stenquist asked why Mr. Prince did not take staff's recommendation. Mr. Prince explained that in their conversation, staff indicated there is a certain risk. It was unfortunate timing. They spent six months working this out, and the decision on the new zones was made that same night. There was a chance the City Council would deny the new zones.

Councilmember Stenquist request clarification that in the developer's mind the cost of the \$60,000 consideration was worth not having to take the risk that the City Council would deny those zones. Mr. Prince stated he looked at it that there was no loss. They were at the end of a six months process, so he did not see what he would lose by moving forward with his request. If the project and the new zones were both approved, he could come back and apply for the new zones that were intended for parcels like this.

Councilmember Stenquist stated the fact that the new zones were approved that same night makes the argument for why Mr. Prince did not wait a little bit. Mr. Prince replied there was a clear risk that the City Council would not implement those zones.

Councilmember Stenquist advised that is correct, but it occurred on the same night, so he would not have to wait very long to find out what happened. He said he understands that Mr. Prince is back with the new request. Ivory homes made an agreement in good faith to do the development with the \$60,000 consideration, and the City agreed to the development. Now that the circumstances have changed, Mr. Prince is coming back to say that he wants to undue that agreement and make a different agreement.

Mr. Prince said he was not informed of the new zones months ahead of time. It was three weeks before this application came to the Council for consideration. Councilmember Stenquist indicated that prior to that, Mr. Prince was perfectly okay making the agreement. Mr. Prince responded that was the only option they had. To him, this all boils down to timing.

Councilmember Stenquist compared this situation to making a purchase and seeing that it goes on sale the next day. Mr. Prince disagreed.

[9:30:53 PM](#)

- 13.11 Councilmember Rappleye noted Councilmember Stenquist has this right. Mr. Prince had the opportunity to change his mind and not proceed with the agreement that night. The City Council read through this and understood that.

[9:31:53 PM](#)

- 13.12 The City Council wanted this item to follow the regular course. It will be considered at the next meeting.

[9:33:19 PM](#)

- 14.0 Public Hearing: Ordinance #1118, Request to rezone approximately six acres from RA2 to RM1, located at 1375 E. Country Oak Lane. The requested rezone is linked to a development agreement that would allow for the construction of 24 new single-family homes, which will place the overall density at 4.25 dwelling units per acre. This item was previously known as the B&B Rezone Request, and is now known as the Cottages at Country Oaks Request.**

[9:33:57 PM](#)

- 14.1 Mr. Morey stated this project is on 1300 East directly across from the park. The developer and owners had some concerns as they went through the initial process that they did not have some of the clarity they needed. In subsequent meetings, they have developed a level of assurance as to what they want, and how they can address the needs of the community and the surrounding residents. That is the reason for the zone change and the slight change from the previous proposal. Mr. Morey displayed an aerial map of the area. This application has a development agreement to allow the density the developer wants and to reassure the surrounding neighbors of the type of product that will be built. The application is for twenty-four single-family detached homes, and two existing homes will remain. The density is capped at 4.25 units per acre. The architectural requirements will insure that a quality project will be built.

[9:38:35 PM](#)

**14.2 Mayor Walker opened the public hearing.**

[9:38:57 PM](#)

- 14.3 Bill Wagner, 4113 South 3305 East Holladay, noted he is the husband of the trustee that owns the property due south of this proposal. He complimented the City Council on their decision to table the B&B Rezone until a development agreement could be presented. He also complimented the applicants for their preparation of the detailed development agreement and project. Mr. Wagner stated he is opposed to a high-density development in this area. It is contrary to the existing land development plan which recommends lot development above 1300 East to be no less than one-half acre. There are other properties in Draper that are more appropriate for high-density development. This will set a precedent for other properties in the area and will impact the property values.

[9:42:27 PM](#)

- 14.4 Dave Jensen, 1405 East Country Oak Lane, noted he is an adjacent property owner to this request. He spoke in January when this was being considered as the B&B rezone. He was against this project then and is still opposed to it. He has seen the development in Draper, and it has always been the intent to keep 1300 East as a rural and low-density area. He questions catering to City Center and transit by approving subdivisions like this. It disregards what the planners of the past have envisioned for this area. He does not feel that this area should be made into a high-density area, and he is opposed to that.

[9:44:47 PM](#)

- 14.5 Mike Gabel, applicant, reviewed the project for the City Council and showed pictures of the style they are looking for. The lot size will be a minimum of 11,000 square feet. Their vision is to create a high-end attractive subdivision with less maintenance and a new option for Draper City residents.

[9:50:47 PM](#)

- 14.6 Councilmember Colbert asked whether they are planning to have basements in the homes and if they have looked at the water table. Mr. Gabel replied that they are planning basements; however, he is not sure they have the studies back. They have done a survey

on the property, and they know the Willow Creek culvert that runs through the property, and it is fairly deep.

Councilmember Colbert indicated it is pretty dry right now, but they should look for data from a wet year.

[9:51:29 PM](#)

14.7 Councilmember Summerhays noted they previously said they would knock down some homes at a later date. He asked when that would occur. Mr. Gabel indicated they will only remove one home, and they have a contract that would allow them to do that in five years.

[9:52:29 PM](#)

**14.8 Mayor Walker closed the public hearing.**

[9:52:45 PM](#)

**14.9 Councilmember Summerhays moved to suspend the rules. Councilmember Rappleye seconded the motion.**

[9:53:36 PM](#)

**14.10 A roll call vote was taken with Councilmembers Rappleye, Stenquist, Summerhays, and Vawdrey voting in favor. Councilmember Colbert voted no. The motion carried with a majority vote of 4 to 1.**

[9:54:03 PM](#)

**14.11 Councilmember Summerhays moved to approve Ordinance #1118. Councilmember Rappleye seconded the motion.**

[9:54:26 PM](#)

14.12 Councilmember Summerhays noted this property is connected to the Town Center, and the rail is on the back side. This request is not high density. It is 4.25 units per acre and the town homes behind this are a nice community.

[9:55:49 PM](#)

14.13 Councilmember Rappleye noted he went and visited the Willow Bend Development behind this project, and it is a nice project. It is a very coveted area to live in.

[9:56:49 PM](#)

14.14 Councilmember Colbert said this looks like a nice development, but he is opposed to high density on 1300 East. Approving this will facilitate a creep of high density in the area. It will also cause the roundabout to fail. He expressed his opinion that 1300 East is one of the special streets in this community, and he thinks anything less than R2 is inappropriate in this area.



Approved 08.05.2014

[9:57:33 PM](#)

14.15 Councilmember Vawdrey said she thinks it is okay to have a buffer on the end by the railroad.

[9:57:55 PM](#)

14.16 A roll call vote was taken with Councilmembers Rappleye, Stenquist, Summerhays, and Vawdrey voting in favor. Councilmember Colbert voted no. The motion carried with a majority vote of 4 to 1.

[9:58:10 PM](#)

\*\* Councilmember Rappleye moved to extend the meeting past ten o'clock. Councilmember Vawdrey seconded the motion.

[9:58:55 PM](#)

\*\* A roll call vote was taken with Councilmembers Colbert, Rappleye, Stenquist, Summerhays, and Vawdrey voting in favor. The motion passed unanimously.

[9:59:16 PM](#)

15.0 **Public Hearing: Ordinance #1116, On the request of Al Latimer for approval of a Text Amendment changing the text of Sections 9-26-070 and 9-26-090 to allow tower signs in the freeway frontage zones without consideration of building floor area. The application is otherwise known as the Tower Signs Text Amendment Request.**

[9:59:48 PM](#)

15.1 Mr. Morey noted this application would eliminate the restriction that a business would have to have 100,000 square feet in areas where tower signs are already allowed.

[10:00:40 PM](#)

15.2 Councilmember Stenquist asked whether a business that is not in the Freeway Frontage Zone would be allowed to have a tower sign if they have the 100,000 frontage. Mr. Morey stated no. The Freeway Frontage Zone is the only zone that allows the signs. The only change is they no longer need the 100,000 square feet to qualify in the freeway frontage zone.

Councilmember Stenquist noted he is okay with that; however, he is not sure the ordinance language says that. Dennis Workman, Planner, clarified that any business not in a Freeway Frontage Zone has to have 100,000 square feet, so it does not change. Right now, a business that has 100,000 square feet can have a tower sign even if they are not in the freeway frontage zone.

Councilmember Stenquist stated he thought the ordinance they passed would only allow the tower signs in the Freeway Frontage Zone regardless of the size of the building. Mr. Workman indicated that is not what it says right now.

*Approved 08.05.2014*

[10:03:29 PM](#)

- 15.3 Councilmember Colbert asked what is reducing the number of tower signs right now. Mr. Morey explained it is the 100,000 square foot requirement.

[10:04:01 PM](#)

- 15.4 Mr. Dobbins noted the reason the City Council previously wanted the 100,000 square foot requirement is they did not want every property to have a tower sign. However, now the businesses are saying there is no way they will every have 100,000 square feet, but their neighbor has a tower sign. That is why the applicant wants this change.

[10:05:00 PM](#)

- 15.5 Mr. Workman indicated the IHC clinic on Pioneer Road and Minuteman is a good example of a business that really should be allowed to have a tower sign; however, they cannot right now because they only have 21,000 square feet.

[10:05:47 PM](#)

- 15.6 Councilmember Stenquist questioned whether they could just lower the size requirement to 20,000 square feet rather than doing away with the restriction. Mr. Morey noted that is an option.

Councilmember Stenquist said he is in agreement that IHC is the type of facility that should be allowed to have a tower sign; however, he does not want a proliferation of those signs

[10:06:26 PM](#)

- 15.7 Mayor Walker opened the public hearing.**

[10:06:35 PM](#)

- 15.8 Tilly Van Edmond, 11800 South 50 East, noted the electronic sign she spoke about earlier is on a tower sign. She expressed her opinion that the tower signs should be prohibited. She is a realtor, and she has a buyer that wants to build a rehabilitation center near the freeway. If there was a tower sign every fifty feet along the roadway, the whole ambiance of Draper would change a bit. She views Draper as being similar to Park City. It is quaint and prestigious with larger lots. She recommended the City Council eliminate the tower signs altogether rather than reducing the size requirement to have one. The hotel signs blink all night, which can be annoying. They could also require the signs to be turned off from dawn to dusk, adjust the pixel brightness, and they could have a traffic study on how drivers are distracted by this type of sign.

[10:10:50 PM](#)

- 15.9 Shawn Benjamin, 360 West 13165 South, advised when they throw around square footage numbers, the legal test comes down to something that is arbitrary and capricious. If they are changing the square footage because it is convenient for one project, that is absolutely arbitrary. There should be a better standard than that if it is going to be changed.

[10:11:46 PM](#)

15.10 Al Latimer, applicant, stated this issue has come up with the staff many times. One section of the ordinance reflects the fact that the tower signs are allowed, and another section states that the property has to be 100,000 square feet. Staff encouraged him to try to bring those together. This zoning allows tower signs, and staff felt that the 100,000 square feet did not match up with what the intent of the ordinance was. They are trying to get people off the interstate and into the City, and these signs are what they need to do that. This application is to leave the tower signs in the commercial zone, which has restrictions as to how close the signs can be. This would prohibit the signs from being within twenty feet of each other. This gives the smaller businesses the opportunity to compete with the larger corporations.

[10:14:51 PM](#)

**15.11 Mayor Walker closed the public hearing.**

[10:14:56 PM](#)

15.12 Councilmember Summerhays noted a few years ago they were doing the freeway frontage, and they allowed the pole signs along the north and south sides of 12300 South. Not one person in the past three or four years has put in a sign. He said he is not sure if they do not know about it, but these signs are very expensive to put in. At the time, the City Council thought there would be a flood of people putting the signs in; however, no one has.

[10:17:17 PM](#)

15.13 Councilmember Colbert stated if they adopt this, it will be a mistake. This is Draper and doing this, approving smaller lots, and making more and more exceptions, they are changing the city. If he had his way, there would be no freeway frontage signs except for very large businesses. It looks cluttered and makes the City less attractive. He is opposed to this application.

[10:18:52 PM](#)

15.14 Mayor Walker noted this item will be considered at the next City Council meeting.

[10:19:02 PM](#)

**\*\* Council Manager Reports - Continued**

[10:19:21 PM](#)

**\*\*** Councilmember Vawdrey stated she has had a couple of people mention that it is hard to get a hold of a live person when they call City Hall. She has had the same experience. Mr. Dobbins replied it is difficult to have someone dedicated strictly to phones due to the staffing levels. When an employee is helping someone at the counter, they are away from their phone. He said he will remind the employees to try to make sure someone is available to answer the phones.

10:22:05 PM

\*\* Councilmember Rappleye stated there was a large gathering at Leatherheads this weekend. He lives a few miles away from there, and he could hear every word of the music. It was after ten o'clock. He said he was surprised the City did not get more complaints.

Councilmember Rappleye then noted it was easy to notice that a lot of people believe the parade is going to go around the park. Mr. Dobbins noted the Draper Foundation do the parade. They were going to put signs up today to inform the people of the change in the route.

10:23:49 PM

\*\* Mayor Walker commended the people in charge of Draper Days. All of the events so far have been great. The rodeo was fun and the clown was the best he has ever seen. Draper Days is put on by volunteers, and they make a big difference in the community. He reminded everyone about the Heritage banquet tomorrow and reviewed some of the events for the rest of the week.

Mayor Walker also thanked staff for all the hours they put in for Draper Days. It is a great celebration, and he appreciates all the hard work.

10:26:31 PM

\*\* Mr. Dobbins noted the City owns the Ballard house on 13200 South and Fort Street. The neighbors do not want it to be a commercial building. He asked the City Council if they are okay with staff moving forward with bringing it down. The consensus of the City Council was to move ahead with the demolition.

Mr. Dobbins indicated there is a gentleman who lives in Draper who sells insurance for sewer and water laterals. He will offer insurance to residents, and if there is a problem, the company will pay for repairs. This gentleman wanted to know if the city will sponsor this program. He is fine advising people that the service is available, but he is uncomfortable sponsoring anything like that.

Mr. Dobbins advised the next meeting is the first Tuesday in August, which is the same day as Draper Safety Day. Mr. Dobbins said they can try to break up the meeting so it is shorter, and they can start the meeting later.

10:31:48 PM

\*\* Councilmember Colbert stated he received an email from Katie regarding the equestrian center fee structure. He asked whether the City is being equitable. The 4H program is not being charged any fees. Mr. Dobbins clarified that the fees the City Council adopted are \$20 per hour for non-Draper residents, and they are free for Draper residents

Councilmember Colbert asked whether they should have nightly fee. He said they are looking for new revenue sources. He indicated when he was up at Bear Lake he noticed

there are areas where they charge for parking. He suggested they charge a few dollars to park at the equestrian center. They could also charge for parking at the amphitheater.

Councilmember Summerhays commented that the City charges all of the sports groups to use the City fields and to participate in the programs. He is supportive of the request to charge a fee.

Councilmember Rappleye stated one of the suggestions he gave to Katie is to find sponsors to pay the fees for the various groups. The City is just trying to get more money to fix some of the things at the equestrian center and to create more parking.

Councilmember Colbert then advised the fire wise efforts that are taking place in SunCrest are very impressive. There should be some recognition for the folks that are doing it.

Councilmember Rappleye noted there will be a press conference on Thursday at 11:00 a.m.

[10:38:01 PM](#)

\*\* Mr. Morey reminded the Councilmembers of the Draper Pointe groundbreaking the next morning. They just signed the lease agreement for the third tower.

[10:38:46 PM](#)

\*\* Garth Smith, Human Resources Director, stated he sent out an email about the employee party. It will be held on August 6<sup>th</sup> from 7:00 to 10:00 p.m.

[10:39:17 PM](#)

**16.0 Adjourn to Closed Meeting to discuss litigation, property acquisition, and the character and professional competence or physical or mental health of an individual.**

[10:39:20 PM](#)

**16.1 Councilmember Summerhays moved to adjourn to a closed door meeting to discuss litigation, property acquisition, and personnel. Councilmember Vawdrey seconded the motion.**

[10:39:38 PM](#)

**16.2 A roll call vote was taken with Councilmembers Colbert, Rappleye, Stenquist, Summerhays, and Vawdrey voting in favor. The motion passed unanimously.**

The meeting adjourned at 10:39 p.m.